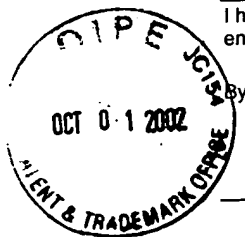


I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this 25th day of September, 2002.



(Signature of person mailing)
Patricia Botelho

(Typed or printed name of person)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

William J. Curatolo, et al.

APPLICATION NO.: 09/803,628

FILING DATE: March 9, 2001

TITLE: Controlled-Release Dosage Forms of
Azithromycin

Examiner: R. DeWitty

Group Art Unit: 1616

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST FOR CONSIDERATION

This is in response to the Office Action dated March 26, 2002 in the above-identified application, the term for response having been extended three (3) months by including the appropriate fee and petition herewith. Reconsideration of the various rejections is respectfully requested in light of the amendments, comments and traversal, which follow.

Please make the following changes to the application:

In the claims

Cancel claims 1-71;

Cancel claims 191-207 without waiver or prejudice;

Cancel claims 213-214 without waiver or prejudice;

REMARKS

The amendments are formal and, in part, responsive to the restriction requirement dated October 2, 2001.

Claims 1-71 have been canceled as these were allowed in the Parent Application No. 08/727,634, now US patent 6,068,859.

Claims 191-207 and 213-214 have been canceled as being drawn to non-elected subject matter from the restriction requirement.

Thus claims 149-190 and 208-212 remain in the application.